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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

BOARD OF COMMISSIONERS OF  
THE PORT OF NEW ORLEANS

Plaintiff,

LEXINGTON INSURANCE  
COMPANY, AND FACTORY  
MUTUAL INSURANCE COMPANY

Defendant.


§ CASE NO: 08CV2505RCC  
§ JUDGE JOHN W. DARRAH  
§ MAGISTRATE MICHAEL T. MASON  
§  
§ RELATED TO:  
§ CIVIL ACTION NO. 06-8101  
§ EASTERN DISTRICT OF LOUISIANA  
§ JUDGE DONALD E. WALTER  
§ MAGISTRATE ALMA L. CHASEZ  
§  
§

**ORDER ON STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

On May 12, 2008, Plaintiff and Defendant filed a Stipulation of Dismissal Without Prejudice under Federal Rule of Civil Procedure 41(a)(1)(ii).

After reviewing the Stipulation filed by the parties, the Court hereby GRANTS the Dismissal of Building Consulting Associates, Inc.'s miscellaneous action filed on May 1, 2008, against the Board of Commissioners of the Port of New Orleans, Cause No. 08CV2505RCC. This dismissal is without prejudice.

Entered on this 12<sup>th</sup> day of May, 2008.

  
JOHN W. DARRAH  
DISTRICT JUDGE